

**AFFIDAVIT IN SUPPORT OF AN APPLICATION**  
**FOR A CRIMINAL COMPLAINT**

I, Christopher Concannon, being duly sworn, depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of a criminal complaint charging BENJAMIN TURCOTTE, the defendant, with making materially false statements in the acquisition of firearms, in violation of 18 U.S.C. § 922(a)(6).

2. I am a Special Agent for the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") assigned to the Portland, Maine Field office. I have been employed as an ATF Special Agent for approximately 16 years. My responsibilities include, but are not limited to, investigating firearms violations under Title 18 and Title 26 of the United States Code. I have received extensive training pertaining to investigations related to firearms trafficking and the acquisition of firearms through false statements ("straw purchases"). In the course of my law enforcement training and experience, I have conducted or participated in, among other things, surveillance, undercover transactions, debriefings of witnesses and defendants as well as reviews of recorded conversations and video relating to firearms trafficking and straw purchasing. I have drafted a number of firearm related search and arrest warrants and have assisted in the execution of numerous search and arrest warrants involving firearms violations. Through my training and experience, I have become familiar with the habits, methods, routines, practices, and procedures commonly employed by persons engaged in firearms trafficking and straw purchasing.

3. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for federal criminal offenses.

4. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint. The facts set forth in this affidavit are based upon my personal knowledge, information obtained during my participation in this investigation including information provided by other investigators, my review of documents and computer records related to this investigation, and information gained through my training and experience.

#### PROBABLE CAUSE

5. On about July 13, 2022, I was contacted by the proprietor of Northeastern Firearms LLC, a Federal Firearms Licensee ("FFL") located in Turner, Maine. Among other things, the proprietor reported numerous sales to an individual, BENJAMIN TURCOTTE, the defendant, of firearms of the same manufacturer, model, and caliber. I know from my training and experience that the sale pattern described by the proprietor is often indicative of illegal firearms trafficking.

6. As a result of this report, I obtained transaction records from Northeastern Firearms demonstrating that TURCOTTE had purchased at least eleven firearms between May 4, 2022, and July 13, 2022. Of those eleven firearms, all were pistols, and ten were Glock pistols. In addition to sales receipts for the

firearms, I also reviewed the ATF Forms 4473 relating to these sales. On these forms, TURCOTTE listed himself as the buyer of the firearms, providing an address in Leeds and his correct date of birth and social security number, as confirmed by my review of additional law enforcement records. For some of these transactions, TURCOTTE provided a telephone number ending in 3357 as his contact number (the "Subject Cellphone"). For each of the eleven firearms purchased, TURCOTTE indicated that he was the actual transferee/buyer of firearm on the corresponding ATF Form 4473.

7. Following my review of the Northeastern Firearms records, I conducted an ETRACE query designed to locate multiple firearm sales transactions made to TURCOTTE. As a result of that query, I learned that TURCOTTE had purchased from Maine FFLs at least an additional fifteen firearms between May 29, 2022, and July 7, 2022. Of these fifteen firearms, twelve were Glock pistols.

8. I have reviewed an ATF Firearms Trace Summary Report relating to a Glock model 30S, .45 caliber pistol, bearing serial number BWWS572 (the "Subject Firearm"), which was purchased by TURCOTTE on June 3, 2022, as part of a multiple sale from Northeastern Firearms. According to the report, the Subject Firearm was recovered in Massachusetts on June 9, 2022, only six days after TURCOTTE purchased it. I have reviewed a Massachusetts State Police arrest report dated June 9, 2022, from which I learned that the Subject Firearm was recovered during a traffic stop from an individual driving on a suspended license, without a permit to carry

firearms, and with an outstanding arrest warrant for assault and battery with a dangerous weapon, among other charges.

9. On about July 25, 2022, I updated my ETRACE query from which I learned that TURCOTTE had purchased at least an additional eight firearms on July 16, 2022, and July 18, 2022. From that inquiry, I learned that on July 16, 2022, TURCOTTE purchased the following firearms from Stone Gunshop Inc., a FFL located in Buckfield, Maine:

- a. Glock model 27, .40 caliber pistol, serial number SRR037;
- b. Glock model 30, .45 caliber pistol, serial number BWWN987;
- c. Glock model 30, .45 caliber pistol, serial number XRM028;
- d. Taurus model G3, 9mm pistol, serial number AAM116619.

10. I further learned from the ETRACE query that TURCOTTE purchased the following firearms from Howell's Gun Shop, a FFL located in Gray, Maine:

- a. Glock model 30S, .45 caliber pistol, serial number BXDS635;
- b. Glock 9mm pistol, serial number BWZD013;
- c. Glock model 27, .40 caliber pistol, serial number BVLH587;
- d. Glock 9mm pistol, serial number BXPV628.

11. I have reviewed the ATF Forms 4473 corresponding to these sales, from which I have learned that the buyer is listed as BENJAMIN TURCOTTE, and that TURCOTTE provided his correct date of birth, social security number, and address

in Leeds, Maine. Further, TURCOTTE indicated on the Form that he was the actual transferee/buyer of these firearms.

12. I have reviewed the returns of a judicially authorized search warrant served on Verizon Wireless for information relating to the Subject Cellphone. From my review of those returns, I learned that the Subject Cellphone, which TURCOTTE provided to Northeastern Firearms as his telephone number, had numerous text message communications with a telephone number ending in 1046, which I know to be the cellphone number utilized by ABDULLAHI ISSAK, a/k/a "Tony" (the "Issak Cellphone"). ISSAK is currently being prosecuted in this District for his involvement in a number of crimes, including, as relevant here, his participation in a firearms trafficking conspiracy, as further described in my Affidavit filed in support of the Criminal Complaint, available at Dkt. No. 3-1, United States v. Issak, 1:22-mj-00129-JCN.

13. Among other text messages from the returns, I reviewed messages sent and received on July 16, 2022, between the Subject Cellphone and the Issak Cellphone, summarized as follows:

Time	To	From	Content
07:53	Issak Cellphone	Subject Cellphone	Morning bud <sup>1</sup>
12:18	Subject Cellphone	Issak Cellphone	I'm ready brother have plans today. so let's go. lol.

<sup>1</sup> All grammar, spelling, and similar errors are present in the original messages.



12:19	Issak Cellphone	Subject Cellphone	Call stones ask for 23 27 19 30 26
12:21	Subject Cellphone	Issak Cellphone	Fuck me he has 2 in safe for me already I'll call but I'm going need more 150 bro today a ball or nothing.
12:29	Subject Cellphone	Issak Cellphone	Then get her and will worry about details after when we started it was 200 250 for one coes I like u I let it fly. when I need u. I expect you to be there.
12:33	Subject Cellphone	Issak Cellphone	Talk when you get here jelly donut chop chop u my source so it goes both ways. me u talk for min I'll fly. let's go

14. Based on my training and experience and on my participation in this investigation, I believe that the exchange summarized above relates to the straw purchase of firearms by TURCOTTE for ISSAK. When ISSAK instructed TURCOTTE to "call stones," I believe ISSAK was referring to Stones Gunshop Inc. in Buckfield. When ISSAK instructed TURCOTTE to ask for "23 27 19 30 26," I believe that he was referring to models of Glock pistols. When TURCOTTE responded that "he has 2 in the safe for me already" I believe he was indicating that he already had two firearms on hold for him at Stones Gunshop Inc. When TURCOTTE wrote that he needed "more 150 bro today a ball or nothing," I believe that TURCOTTE meant that in order to complete the purchase for ISSAK, ISSAK would have to pay him at least \$150 in addition to any money he had already promised him, or an eight ball of

narcotics (approximately an eighth of an ounce). When TURCOTTE wrote that “when we started it was 200 250 for one,” I believe that he meant that, when TURCOTTE began straw purchasing firearms for ISSAK, ISSAK paid him \$200 or \$250 per firearm.

15. I also reviewed text messages included in the warrant returns sent and received on July 18, 2022, between the Subject Cellphone and the Issak Cellphone, summarized as follows:

Time	To	From	Content
12:15	Issak Cellphone	Subject Cellphone	Yes call Augusta
12:16	Issak Cellphone	Subject Cellphone	A 27 26 19
12:17	Issak Cellphone	Subject Cellphone	26
12:32	Subject Cellphone	Issak Cellophone	Kk thanks
13:19	Subject Cellphone	Issak Cellphone	I'm jumping in shower quick u stopping by today.
14:58	Subject Cellphone	Issak Cellphone	Eta. Bro they close 5 45 min get there from my place

16. Based on my training and experience and on my participation in this investigation, I believe that the exchange summarized above relates to the straw purchase of firearms by TURCOTTE for ISSAK. When ISSAK sent TURCOTTE the message stating “27 26 19,” I believe that he was referring to models of Glock pistols that he wanted TURCOTTE to purchase. When TURCOTTE wrote “Eta. Bro they

close 5 45 mins get there from my place,” I believe that TURCOTTE was asking ISSAK when he would arrive at TURCOTTE’s residence in Leeds with the purchase money for the firearms. At the time that message was written (approximately 3:00 p.m.), there was a relatively short two-hour window before Howell’s Gun Shop closed at 5:00 p.m., and it would take TURCOTTE 45 minutes to drive there.

17. I conducted a consensual interview with a coconspirator of TURCOTTE’s (“CC-1”) prior to CC-1’s arrest on a criminal complaint charging him with making false statements during the purchase of firearms on behalf of ABDULLAHI ISSAK, a/k/a “Tony.” From that interview, I learned the following, in substance and in part:

a. CC-1 was not the only person who purchased firearms for “Tony.” He described a second straw purchaser as a tall, skinny, white man with facial hair, whom CC-1 knew as “Ben.” On July 18, 2022, CC-1 and “Ben” purchased firearms for “Tony” at Howell’s Gun Shop together. Specifically, CC-1 recalled “Ben” picking him up, and that an individual who identified himself as “Tony’s brother” was already in “Ben’s” car.<sup>2</sup> The three traveled to Howell’s Gun Shop. “Tony’s brother” provided CC-1 with money to purchase firearms upon arriving at

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<sup>2</sup> I conducted at least two consensual interviews with CC-1. The first time we spoke, CC-1 was not forthcoming with information about straw purchases generally; he maintained that he had kept the firearms at issue for himself. Eventually during the initial interview CC-1 admitted that he had purchased firearms on behalf of “Tony.” Also, during that initial interview, CC-1 recalled that “Tony” himself had accompanied him and “Ben” to Howell’s Gun Shop on July 18, 2022. The second time we spoke, CC-1 informed me that he had misremembered the incident, and that “Tony’s brother,” rather than “Tony,” had accompanied him and “Ben” to Howell’s.



Howell's. CC-1 recalled purchasing one firearm for "Tony" on that occasion in exchange for one gram of crack cocaine.

b. CC-1 recalled that "Ben" purchased at least four firearms for "Tony" at Howell's. Following the transaction, "Ben" drove the three of them to "Ben's" trailer in Leeds where they met "Tony." CC-1 observed "Tony" and his "brother" carrying the firearms that "Ben" had purchased for "Tony" from "Ben's" vehicle into "Tony's" vehicle. CC-1 had previously provided the firearm he had purchased to "Tony's brother." CC-1 believed that all five firearms that were purchased on July 18, 2022 were provided to "Tony."

18. As detailed above in paragraph 10, I have reviewed ATF Form 4473s from FFL Howell's Gun Shop dated July 18, 2022. From that review, I learned that BENJAMIN TURCOTTE purchased four Glock pistols, including a model 27 and two model 19s, at Howell's on that date. For each pistol, TURCOTTE indicated that he was the ultimate buyer of the firearm and that he was buying it for himself. The call number associated with the Subject Cellphone appears on the Howell's Gun Shop receipt associated with this transaction. I also reviewed an ATF Form 4473 dated July 18, 2022, indicating that CC-1 purchased a Glock pistol at Howell's on that date.

19. I also reviewed text messages included in the warrant returns sent and received on July 19, 2022, between the Subject Cellphone and the Issak Cellphone, summarized as follows:

Time	To	From	Content
15:02	Issak Cellphone	Subject Cellphone	Call tht stop in Leeds and ask if they got 43 or any other 9m glocks

15:03	Issak Cellphone	Subject Cellphone	Spot*
15:07	Subject Cellphone	Issak Cellphone	Got it
15:13	Subject Cellphone	Issak Cellophone	They have new 43 chop chop.
15:25	Issak Cellphone	Subject Cellphone	How much
15:25	Issak Cellphone	Subject Cellphone	What else they fot
15:25	Issak Cellphone	Subject Cellphone	Got

20. Based on my training and experience and on my participation in this investigation, I believe that the exchange summarized above relates to the straw purchase of firearms by TURCOTTE for ISSAK. When ISSAK sent TURCOTTE the message stating “Call tht stop in Leeds and ask if they got any 43 or any other 9m glocks,” I believe that ISSAK was referring to models of Glock pistols that he wanted TURCOTTE to purchase from Up in Arms LLC, a FFL located in Leeds, Maine. When TURCOTTE wrote “They have new 43 chop chop,” I believe that TURCOTTE was indicating that he had contacted Up in Arms, and that they had new Glock model 43 pistols for sale.

21. I have reviewed records maintained by Up in Arms LLC relating to the purchase of two firearms on July 19, 2022: (1) a Glock model 43, 9mm pistol, serial number AFND462, and (2) a Glock model 43x, 9mm pistol, serial number BUEH130, from which I learned that BENJAMIN TURCOTTE purchased these firearms from

Up in Arms LCC. I have reviewed the ATF Form 4473 relating to this transaction, from which I learned that TURCOTTE was listed as the purchaser, and that his true date of birth and social security number were listed, as well as his address in Leeds. I also learned that TURCOTTE represented that he was the actual transferee/buyer of the firearms that he purchased.

**CONCLUSION**

22. Based on the foregoing, I submit that probable cause exists to believe that BENJAMIN TURCOTTE, the defendant, knowingly made false statements and representations with respect to information required to be kept by a federal firearms licensee in violation of 18 U.S.C. § 922(a)(6). I respectfully request that the Court issue a criminal complaint charging TURCOTTE with these offenses.

Dated at Portland, Maine this 1st day of September, 2022.

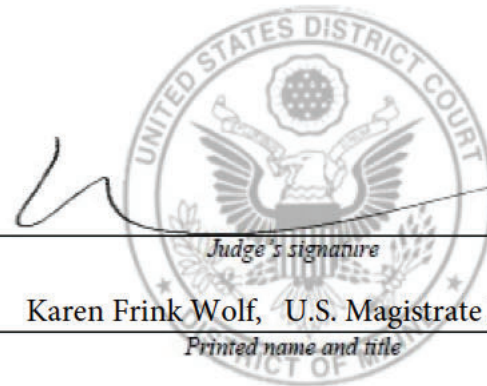


Christopher Concannon  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms,  
and Explosives

Sworn to telephonically and signed  
electronically in accordance with the  
requirements of Rule 4.1 of the Federal Rules  
of Criminal Procedures

Date: Sep 01 2022

City and state: Portland, Maine



Karen Frink Wolf, U.S. Magistrate Judge

*Printed name and title*